

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
Tampa Division**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 99-167-CIV-T-17F
)	
v.)	
)	
FEDERATION OF CERTIFIED)	
SURGEONS AND SPECIALISTS, INC.,)	
and PERSHING, YOAKLEY)	
& ASSOCIATES, P.C.,)	
)	
Defendants.)	
)	

**STIPULATION AS TO DEFENDANT
FEDERATION OF CERTIFIED SURGEONS AND SPECIALISTS, INC.**

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The Court has jurisdiction over the subject matter of this action and over each of the undersigned parties hereto, and venue of this action is proper in the Middle District of Florida;

2. The undersigned parties consent that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of either party, or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. §16, and without further notice to either party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the

entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court;

3. Federation of Certified Surgeons and Specialists, Inc. ("FCSSI") agrees to be bound by the provisions of this proposed Final Judgment pending its approval by the Court. Within ten days from the execution of this Stipulation, defendant FCSSI agrees to provide to all FCSSI physicians, as that term is defined in the proposed Final Judgment, copies of the proposed Final Judgment; and

4. If plaintiff withdraws its consent, or if the proposed Final Judgment is not entered pursuant to the terms of this Stipulation, this Stipulation shall be of no effect whatsoever, and the

making of this Stipulation shall be without prejudice to any party in this or in any other proceeding.

Dated: January 21, 1999

FOR PLAINTIFF
UNITED STATES OF AMERICA:

_____/S/
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_____/S/
Donna Patterson
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_____/S/
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